



West Virginia Senate

Committee on the Judiciary

Minutes for MARCH 22, 2021, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on March 22, 2021, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Grady, Maynard, Phillips, Rucker, Smith, Stover, Takubo, Woodrum, Beach, Caputo, Lindsay, Romano, Woelfel

Members absent: Senator Blair

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

H. B. 2382 - Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards.

Debra Graham, Counsel, explained the bill, and responded to questions.

With leave of the committee, Scott Mandirola, Deputy Secretary for External Affairs, West Virginia Department of Environmental Protection, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Chairman Trump removed **S. B. 674** from the agenda.

With leave of the committee, Angie Rosser, West Virginia Rivers Coalition, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Senator Lindsay moved to amend the bill. (See attached amendment but striking the last two values.)

The amendment was put and the Chair being in doubt, a division of the body was demanded by Chairman Trump.

The vote being 5 in favor and 11 opposed, the amendment was rejected.

On motion of Senator Weld, the committee reported the bill to the full Senate with the recommendation that it do pass.

S. B. 673 - Relating to venue for bringing civil action or arbitration proceedings under construction contracts.

Mark Dean, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Michael Clowser, Contractors Association of West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

Chairman Trump moved **H.B. 2094** next on the agenda.

H. B. 2094 - Relating to the juvenile restorative justice programs.

Liz, Schindzielorz, Counsel, explained the bill, the purpose of the proposed strike and insert and title amendment, and responded to questions.

Senator Weld moved the strike and insert amendment.

With leave of the committee, Delegate Dianna Graves addressed the committee and responded to questions.

With leave of the committee, Dr. Kenneth Lang, Criminal Justice Professor, Glenville State University, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Cecilia Matheny, National Youth Advocate Program, Program Director for Juvenile Victim Offender Mediation, was administered the oath prescribed

by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions.
(See attached oath.)

Senator Woelfel moved to amend the strike and insert amendment on page 9, line 9, section 725, subsection (a), adding a new subdivision (3) for misdemeanor assault or battery.

With leave of the committee, Cammie Chapman, Associate General Counsel, West Virginia Department of Health and Human Resources, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions.
(See attached oath.)

The same was put and the amendment was adopted.

The committee adopted the strike and insert amendment, as amended.

On motion of Senator Weld, the committee reported the bill to the full Senate with the recommendation that it do pass as amended.

The Chairman moved **S. B. 587** next on the agenda.

S. B. 587 - Making contract consummation with state more efficient.

Laura Goins, Counsel, explained the bill, and responded to questions.

On motion of Senator Weld, the committee recommended the bill for passage.

S. CR. 5 - Urging Congress call Article V convention to impose fiscal restraints on federal government.

Tom Smith, Chief Counsel, explained the resolution, and responded to questions.

On motion of Senator Weld, the committee recommended the bill for adoption.

S. JR. 9 - Disabled Veterans' Exemption from Ad Valorem Property Taxation Amendment.

Tom Smith, Chief Counsel, explained the resolution, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it be adopted, but first be referred to the Committee on Finance.

S. JR. 10 - Limiting the Terms of Members of the House of Delegates and Senate Amendment.

Tom Smith, Chief Counsel, explained the resolution, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it be adopted, but first be referred to the Committee on Finance.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump
Chair



Beverly Douglas
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 22nd day of March, 2021, in
the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Scott Mandirala

Print Witness Name

SH Mull

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 22nd day of March, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Angie Rosser

Print Witness Name

Beverly Deagles

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

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"I solemnly swear (or affirm) that the testimony I shall give shall be
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God."

Mike Conso

Print Witness Name

Mike C

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S Trump

Sign Member Name



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God."

Dr. Kenneth Lang
Print Witness Name

Beverly Douglas
Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump
Print Member Name

Charles S. Trump
Sign Member Name



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"I solemnly swear (or affirm) that the testimony I shall give shall be
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God."

Cecilia Matheny

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

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"I solemnly swear (or affirm) that the testimony I shall give shall be
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Cammie L Chapin

Print Witness Name

Cammie L Chapin

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name